

TITLE 38
FORESTRY, FOREST PRODUCTS AND STUMPAGE DISTRICTS

CHAPTER 7
FOREST, WILDLIFE AND RANGE EXPERIMENT STATION

38-701. EXPERIMENT STATION CREATED. There hereby is created and established in the State University of Idaho, School of Forestry, an experiment station to be known as the Forest, Wildlife and Range Experiment Station of the state of Idaho.

[38-701, added 1939, ch. 259, sec. 1, p. 643.]

38-702. DIRECTOR -- CONTROL -- ASSISTANTS AND EMPLOYEES. The dean of the School of Forestry of the University of Idaho shall be the director of the forest, wildlife and range experiment station of the state of Idaho. The said experiment station shall be under the control of the state board of regents of the University of Idaho who shall have the power and whose duty it shall be to appoint or designate such assistants and employees as may be necessary, and to fix their compensation.

[38-702, added 1939, ch. 259, sec. 2, p. 643.]

38-703. DUTIES OF EXPERIMENT STATION. It shall be the duty of the forest, wildlife and range experiment station of the state of Idaho to institute and conduct investigations and research into the forestry, wildlife and range problems of the forest lands of the state; to conduct cooperative investigation and research with the board of land commissioners, the state fish and game commission, the Idaho department of agriculture, other schools and colleges of the University of Idaho, and with other departments and branches of the state government when mutually beneficial; with forest protective associations and with private individuals and agencies; with farm bureaus of the state and with the county agents; and to cooperate in investigation and research with the United States government and its branches, as a land grant institution, or otherwise, in accordance with their regulations.

[38-703, added 1939, ch. 259, sec. 3, p. 643; am. 1974, ch. 18, sec. 225, p. 364.]

38-704. FIELD EXPERIMENT SUBSTATIONS -- ACCEPTANCE OF LAND OR OTHER DONATIONS. The forest, wildlife and range experiment station of the state of Idaho is authorized to establish such field experiment substations as in the judgment of the state board of regents may be necessary. The state board of regents is hereby authorized to accept, for and in behalf of the state of Idaho, such gifts of land or other donations as may be made to the state for the purposes of sections [38-701](#)--[38-713](#).

[38-704, added 1939, ch. 259, sec. 4, p. 643.]

38-705. REPORTS TO STATE BOARD OF REGENTS. The state board of regents may require from said experiment station, such regular and special reports to be prepared and submitted as it deems necessary.

[38-705, added 1939, ch. 259, sec. 5, p. 643.]

38-706. FOREST AND TIMBER GROWING PROBLEMS -- INVESTIGATION AND RESEARCH. Within the state of Idaho, the forest, wildlife and range experiment station is authorized to investigate and conduct research into the various problems incident to the production of timber either by natural or artificial means, its protection against fire, disease and insects, or any other influences tending to kill or destroy mature or immature forest trees, and the problems of management of forest or wild land to the end that the state and its citizens may derive the greatest benefits both economic and social that flow from such production, protection and management.

[38-706, added 1939, ch. 259, sec. 6, p. 643.]

38-707. TIMBER PRODUCTS -- MARKETING PROBLEMS -- INVESTIGATION AND RESEARCH. Investigation of and research into the problems connected with the conversion of forests into marketable products and the utilization of wood material to the highest economic advantage together with the reduction of waste through research into new uses of such waste materials customarily resulting from the conversion and manufacture of timber products shall be within the province of the authority of the forest, wildlife and range experiment station.

[38-707, added 1939, ch. 259, sec. 7, p. 643.]

38-708. SEEDS AND NURSERY STOCK FOR SPECIAL PLANTINGS -- INVESTIGATION AND EXPERIMENTATION. The forest, wildlife and range experiment station is authorized to investigate possibilities and experiment with seeds, nursery stock and otherwise, independently and through cooperation with the agricultural experiment station, the various county agents of the state of Idaho, the federal government by means of the Clarke-McNary Nursery, and with private land owners, in the experimental production of suitable planting stock with the specific purposes in mind of developing suitable tree species for farm wood production, for protection of farmstead buildings, and general windbreak and shelterbelt plantings, and for dry land plantings.

[38-708, added 1939, ch. 259, sec. 8, p. 643.]

38-709. GAME AND OTHER WILDLIFE -- INVESTIGATION AND RESEARCH. It shall be within the purpose of the forest, wildlife and range experiment station to investigate and conduct research into the propagation, protection, taking and productive management of game, fish, fur animals, birds and other wildlife in harmony with other major economic uses of land within the state of Idaho to the end that sportsmen, hunters and the general public, each in their own sphere, may be able to enjoy the presence of and the pursuit of game, fish and wildlife.

[38-709, added 1939, ch. 259, sec. 9, p. 643.]

38-710. FORAGE AND RANGE RESOURCES UPON WILD AND FOREST LANDS -- INVESTIGATION AND RESEARCH. For the direct purpose of aiding in the management and perpetuation of forage resources so that such resources shall be of the highest use to the state in its support of agriculture, including the livestock industry of the state, and the general public, in their utilization of

the forage resources found upon the wild and forest lands within the state of Idaho and without invading the fields of research and investigation designated as belonging to the work of the experiment station of the College of Agriculture of the University of Idaho, the forest, wildlife and range experiment station is authorized to conduct investigations and research into the production, protection, utilization and management for continuous use of all forage and range resources found thereon, and the direct and indirect effects of the use of these resources upon erosion and watershed protection.

[38-710, added 1939, ch. 259, sec. 10, p. 643.]

38-711. RECOMMENDATIONS TO ADMINISTRATIVE AGENCIES -- PUBLISHING OF INFORMATION. It shall be the duty of and within the purpose of the forest, wildlife and range experiment station to make recommendations based upon studies and determinations, to the appropriate administrative agencies, concerning the production, management and utilization of the various resources to which the information shall apply and from time to time to publish and to distribute such information as shall be of interest and value to the industries and activities affected.

[38-711, added 1939, ch. 259, sec. 11, p. 643.]

38-712. INFORMATION, CORRESPONDENCE AND DATA -- DUTY TO GUARD. It shall be the duty of all officers and employees of the forest, wildlife and range experiment station, appointed or assigned, to guard carefully all confidential information accumulated in the progress of their work and such information shall be subject to disclosure according to [chapter 1, title 74](#), Idaho Code; and to consider as property of the forest, wildlife and range experiment station all correspondence, notes, illustrations and data of any kind accumulated by them in the execution of the work of the experiment station delegated to them.

[38-712, added 1939, ch. 259, sec. 12, p. 643; am. 1990, ch. 213, sec. 33, p. 508; am. 2015, ch. 141, sec. 81, p. 439.]

38-713. SEPARABILITY. If any provision of sections [38-701](#)--[38-713](#) or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of sections [38-701](#)--[38-713](#) are declared to be severable.

[38-713, added 1939, ch. 259, sec. 13, p. 643.]

38-714. CREATION OF FOREST POLICY ANALYSIS GROUP -- POWERS AND DUTIES. (1) There is hereby created within the Idaho forest, wildlife and range experiment station a "forest, range and wildlife policy analysis group." The forest, range and wildlife policy analysis group shall be under the control of the dean of the college of forestry, wildlife and range sciences of the university of Idaho and shall have the following powers and duties:

- (a) A program of continuing inquiry into such public policy issues as may be suggested by the advisory committee described in this act;
- (b) The ability to provide timely, scientific and objective data and analysis pertinent to such resource and land use questions which are

of general interest to the people of Idaho and which are suggested as worthy of the group's attention by the advisory committee described herein. Each report of the group shall include a range of actions which might be taken to resolve the issues addressed in the group's inquiries. In developing such alternatives, the director shall consult with a broad array of public agencies and other interests and shall show potential benefits and detrimental effects of each alternative, and;

(c) Analytical and informational services provided on a contractual basis to those public entities desiring such services in order to better reach more informed decisions regarding the wise use of Idaho's forest, range and wildlife resources, including fish, wildlife, timber, water, outdoor recreation, forage and aesthetic values. Such contractual services may not be offered at rates less than the college's actual costs for providing them and must adhere to the highest professional and scientific standards for objective, scientific research. The results of such contractual services provided by this group shall be considered to be public knowledge available to the citizens of Idaho.

(2) The dean of the college of forestry, wildlife and range sciences, in a manner consistent with existing practice for hiring and electing faculty members to the college and its departments, shall as soon as practicable subsequent to the passage of this act, name a director of the forest policy analysis group. The director and staff shall have academic training and managerial skills appropriate to the college and the position and shall be compensated at a rate commensurate with their abilities and experience. The director and staff shall enjoy all protections of academic freedom and tenure that are consistent with general policies and practices of the college. Individual projects and analyses will be conducted by the group's staff or members of the college's faculty, or by scientists from other educational institutions or research entities as appropriate.

(3) The dean of the college of forestry, wildlife and range sciences shall name a forest policy advisory committee representative of the entities, both public and private, which have demonstrated interest in the areas of inquiry and conclusions of the group. Members of this committee shall serve without pay and under such terms of service as may be prescribed by the dean. It shall be the responsibility of the committee to review various forest policy issues and suggest the priority, critical focus and appropriateness of these issues for consideration by the forest policy analysis group. The total size of this committee shall not exceed eleven (11) voting members. The dean shall also name a "technical advisory committee" consisting of faculty members and others with a demonstrated technical knowledge of issues or questions posed to the group to help provide guidance and expertise to each of the group's inquiries.

(4) It shall be the duty of and within the purposes of the forest, wildlife and range experiment station to establish a forest policy analysis series in which to publish all results and findings, whether tentative or conclusive, regarding any and all of the group's studies. Such publication shall be made freely, without prejudice and in a manner consistent with the highest professional, scientific, and ethical standards. In carrying out the provisions of this section, the director and staff of the forest policy analysis group shall seek the counsel and expertise and generally cooperate with other colleges within the state's university system, plus other public or private research efforts.

[38-714, added 1989, ch. 206, sec. 1, p. 506; am. 1994, ch. 194, sec. 1, p. 623.]

38-715. RANGELAND CENTER CREATED -- DIRECTOR -- DUTIES -- CONTROL BY STATE BOARD OF REGENTS -- POWERS AND DUTIES OF RANGELAND CENTER -- PARTNER ADVISORY COUNCIL. (1) There is hereby created and established in the university of Idaho, a rangeland center, for the purpose of creating a new model for interdisciplinary research, education and outreach to fulfill the university's land grant mission. The center shall be comprised of researchers and educators from the college of natural resources, the college of agricultural and life sciences, the university of Idaho cooperative extension and other colleges or units in the university of Idaho, and other research agencies, colleges and universities with expertise in, but not limited to, grazing, rangeland ecology, entomology, soil science, economics, rural sociology, fish and wildlife management, invasive plant management, forage production, animal science, restoration and the use of spatial technologies to understand rangelands.

(2) The fiscal and human resources of the rangeland center shall be under the management of a director who shall hold an academic appointment in a department within the university of Idaho, or joint appointment in departments.

(a) The director shall have the following duties:

- (i) To report to the deans of the college of natural resources and the college of agricultural and life sciences and the director of the university of Idaho cooperative extension on rangeland center activities and accomplishments annually and when otherwise requested;
- (ii) To work closely with the partner advisory council to identify and set priorities for the rangeland center;
- (iii) To seek opportunities, secure resources and promote the work of the rangeland center faculty and staff;
- (iv) To provide input for annual evaluation of faculty members who have a portion of their position description dedicated to the rangeland center;
- (v) To supervise staff assigned to the rangeland center; and
- (vi) To oversee budgets secured by and assigned to the rangeland center.

(b) The rangeland center shall be under the control of the state board of regents of the university of Idaho through the deans of the colleges of natural resources and agricultural and life sciences who shall have the power and whose duty it shall be to appoint or designate the director and such faculty and staff as may be necessary, and to fix their compensation.

(3) The rangeland center shall:

- (a) Empower researchers and educators at the university of Idaho who strive to create insight and foster understanding for the stewardship and management of rangelands;
- (b) Work in union with external partners to focus research, education and outreach to produce solutions that are responsive and relevant to contemporary rangeland issues;
- (c) Engage partners and stakeholders to jointly provide leadership for discovery of new knowledge and create science-based solutions for rangeland management;

(d) Provide objective and relevant rangeland information for individuals, organizations and communities;

(e) Offer learning opportunities for land stewardship;

(f) Establish a partner advisory council for the purpose of setting strategic goals for the rangeland center, assessing accomplishments relative to the strategic goals, conveying resources and opportunities to accomplish the work of the center and any further purposes as determined; and

(g) Encourage and facilitate applied research to address specific issues and management challenges that arise on Idaho's diverse rangelands.

(4) The partner advisory council shall consist of ten (10) to fifteen (15) members, with a variety of backgrounds, interests and expertise related to rangelands. The initial council shall be appointed by the director of the rangeland center. The council shall establish guidelines for decision making and shall appoint one (1) of its members as chairman who shall thereafter appoint additional members in consultation with the director, not to exceed fifteen (15) members. The council shall meet at a minimum annually and shall conduct annual and five (5) year reviews of the rangeland center and its performance based on strategic goals as established by the council. Such reviews shall be made available to the deans of the college of natural resources and the college of agricultural and life sciences, the director of the university of Idaho cooperative extension, rangeland center faculty members, advisory council members, and their respective stakeholders and constituents.

[38-715, added 2012, ch. 144, sec. 1, p. 379.]

38-716. RANGELAND CENTER ACT. This act shall be known and may be cited as the "Rangeland Center Act."

[38-716, added 2012, ch. 144, sec. 2, p. 380.]